

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

81 WRIT PETITION NO.7023 OF 2020

RAMESHWAR BHIMRAO WADKUTE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ORS. ..RESPONDENTS

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Mr. Sambhaji S. Tope, Advocate for the Petitioner.

Mr. S. R. Yadav Lonikar, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 16th OCTOBER, 2020.

PER COURT:-

1. The proposal seeking approval to the transfer of the petitioner from unaided to aided post is rejected.

2. Mr. Tope, learned counsel for the petitioner submits that the transfer on unaided post is approved by the Education Officer. The proposal for approval is rejected only on the basis of circular dated 28.06.2016. The learned counsel relies on the judgment of this Court in Writ Petition No.1493/2018 with connected writ petitions dated 04.07.2019.

3. We have also heard learned A.G.P.

4. We have in our order dated 04.07.2019 in Writ Petition No.1493/2018 with connected writ

petitions held that some of the Clauses of the circular dated 28.06.2016 do not apply.

5. In light of the above, impugned order is quashed and set aside.

6. The Education officer shall reconsider the proposal seeking approval to the transfer of the petitioner from unaided to aided post on its own merits, in tune with the judgment of this Court dated 04.07.2019 in Writ Petition No.1493/2018 with connected writ petitions.

7. The proposal shall be decided afresh preferably within a period of four months.

8. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE